

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MEDICAL TECHNOLOGY AND  
INNOVATIONS, INC.,

Plaintiff,

vs.

LENSCRAFTERS, INC. and  
LUXOTTICA GROUP S.p.A.,

: Case No. 1:CV-00-0494

: (Judge Kane)

:

: JURY TRIAL DEMANDED

:

FILED  
HARRISBURG, PA

FEB 08 2005

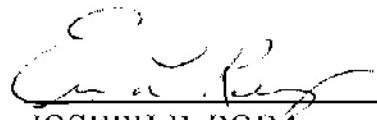
MARY E. O'ANDREA, CLERK  
Per PNR

**PLAINTIFF'S STATUS REPORT**

Plaintiff submits this status report in accordance with the letter of Deputy Clerk Kevin J. Neary dated February 2, 2005.

The arbitration of MTI's claims against LensCrafters is scheduled for March 21, 2005. LensCrafters has requested a conference call with the arbitration panel to seek a continuance of the arbitration, but MTI is opposed to any continuance. The arbitration has already been rescheduled six times. It was originally scheduled for February 16, 2004, and was then rescheduled to: April 19, 2004, June 1, 2004, September 20, 2004, October 4, 2004, December 10, 2004, and most recently to March 21, 2005.

Respectfully submitted,



JOSEPH F. RODA  
Atty. I.D. No. 20615

ERIC L. KEEPERS  
Atty. I.D. No. 75570

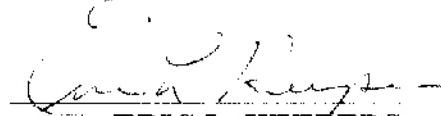
RODA & NAST, P.C.  
801 Estelle Drive  
Lancaster, PA 17601  
(717) 892-3000

DATED: February 7, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that I have today caused to be served, via facsimile, a copy of the foregoing Plaintiff's Status Report on the following:

Jeffery P. Hinebaugh, Esquire  
Dinsmore & Shohl, LLP  
1900 Chemed Center  
255 East 5th Street  
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FAX: 513-977-8141

  
ERIC L. KEEPERS

DATED: February 7, 2005

**RODA . NAST, P.C.**  
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February 7, 2005

The Honorable Yvette Kane  
United States District Court  
For the Middle District of Pennsylvania  
U.S. Courthouse  
228 Walnut Street, P.O. Box 11817  
Harrisburg, PA 17108

Re: Medical Technology and Innovations, Inc. v. LensCrafters, Inc., et al.  
Case No. 1:00-CV-00494

Dear Judge Kane:

Enclosed please find Plaintiff's case status report in the above-referenced matter. The original has been sent to the Clerk of Court for filing.

Sincerely,

Eric L. Keepers

ELK:sms

Enclosure (1)

cc: Mary E. D'Andrea, Clerk of Court (via first class mail, w/original)

David E. Lehman, Esquire (via facsimile, 717-237-5300, w/encl.)

Thomas B. Schmidt, Esquire (via facsimile, 717-238-0575, w/encl.)

Mark A. Vander Laan, Esquire (via facsimile 513-977-8141, w/encl.)

Jeffery P. Hinebaugh, Esquire (via facsimile 513-977-8141, w/encl.)